

REMARKS

In response to the Notice of Non-Compliant Amendment, Applicant now includes a complete listing of all the pending claims, with their current status listed parenthetically. Below is a copy of Applicant's response as filed on June 10, 2004:

At the outset, Applicant acknowledges with appreciation the Examiner's indication that claims 51-75, 88, 89, 93-103, 106-109, 113-127, and 135-143 are allowed.

Applicant also acknowledges with appreciation the Examiner's indication that claims 112, 129, 132 and 134 contain patentable subject matter and would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In response, Applicant submits new claims 144-147: new claim 144 contains all of the elements of claims 112, 111 and 110; new claim 145 contains all the elements of claims 129 and 128; new claim 146 contains all of the elements of claims 132, 131 and 130; and new claim 147 contains all of the elements of claims 134 and 133. Applicant respectfully submits that these new claims are in condition for allowance.

Rejection Under 35 U.S.C. § 102

In paragraphs 1 and 2 of the Office Action, the Examiner rejects claims 104-105, 110, 111, 128, 130, 131, and 133 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,177,903 ("Fullerton"). As discussed below, Applicant respectfully traverses this rejection.

A. The Law of Anticipation and Enabling Prior Art References

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. The identical invention must be shown in as complete detail as is contained in the claim. *Id.*

However, Applicant submits that amended independent claims 104, 105, 110, 128, 130 and 133 each have elements that cannot be found, either expressly or inherently, in Fullerton. Specifically, each of claims 104, 105, 110, 128, 130 and 133 recite, in part: “each transceiver including a Medium Access Control protocol having a time division multiple access frame definition.” Fullerton has no teaching or suggestion of employing a Medium Access Control (MAC) protocol that uses a time division multiple access (TDMA) frame definition.

Specifically, Fullerton teaches radar motion detection, or an intrusion detection system 200 that includes sensors 102 that communicate via a wireless link 204 with processor 206 (col. 4, lines 33-36, FIG. 2). In FIG. 5, back scattering data from each radar 202 (contained in each sensor 102) is passed to the processor 206 (col.6, line 67, and col. 7. line 1). Alternatively, sensors 102 perform forward scattering measurements, by receiving signal returns from other sensors 102 (col. 7, lines 5-8).

None of the communications between sensors 102 or between sensors 102 and processor 206 employs a MAC protocol that uses a TDMA frame, as recited in Applicant’s amended claims 104, 105, 110, 128, 130 and 133. In addition, Fullerton contains no teaching or suggestion of employing a MAC protocol that uses a TDMA frame.

Therefore, the anticipation rejection of independent claims 104, 105, 110, 128, 130 and 133 is respectfully traversed. Because claims 111 and 131 depend from independent claims 110 and 130, respectively, it is respectfully submitted that the rejection of these claims has been traversed by virtue of their dependency from independent claims 110 and 130. M.P.E.P. § 2143.03.

Change of Correspondence Address

Applicant also submits a Change of Correspondence Address form (PTO/SB/122).
Therefore, please address all future correspondence to:

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Conclusion

Applicant believes that this Response has addressed all items in the Office Action and now places the application in condition for allowance. Accordingly, favorable reconsideration and allowance of claims 104, 105, 110, 111, 128, 130, 131 and 133 at an early date is solicited. In addition, because claims 112, 129, 132 and 134 depend from one of the listed independent claims, allowance of these claims is also solicited. Also, allowance of new claims 144-147 is also solicited.

Applicant notes with appreciation that claims 51-75, 88, 89, 93-103, 106-109, 113-127, and 135-143 have been allowed. The Commissioner is authorized to charge any fee required to our Deposit Account No. 503143, in the name of Pulse-Link, Inc. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted

12/3/04
Date



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